

B O I E S , S C H I L L E R & F L E X N E R L L P

30 SOUTH PEARL STREET • 11TH FLOOR • ALBANY, NY 12207 • PH: 518.434.0600 • FX: 518.434.0665

September 10, 2013

VIA ECF and HAND DELIVERY

The Honorable Samuel Conti
Senior United States District Judge
United States District Court
Northern District of California
Courtroom No. 1, 17th Fl.
450 Golden Gate Avenue
San Francisco, CA 94102

**Re: *In re Cathode Ray Tube (CRT) Antitrust Litigation*
Master File No. 07-5944 SC; MDL No. 1917**

Dear Judge Conti:

As the Defendants did yesterday, the Indirect Purchaser Plaintiffs (“IPPs”) and Direct Action Plaintiffs (“DAPs”) write in support of the parties’ agreed-upon scheduling stipulation. *See* Dkt. No. 1858-2. The stipulation was the product of extensive discussion and was unanimously agreed upon by all the parties, which Judge Legge recognized was “highly significant.” *Id.* This proposal carefully considers and balances all of the parties’ competing interests, and would only push back the trial date five months (from October 2014 to March 2015).

The IPPs and DAPs submit that the proposed modifications to the current pretrial schedule are warranted in part because the proceedings have been delayed by factors beyond the parties’ control. The DOJ’s requested stay of discovery began in September 2008 and lasted for roughly *two years*, with document discovery stayed until March 2010 and depositions stayed until March 2011. Through cooperation and diligence, the Plaintiffs are working together to ensure that discovery proceeds in an organized and efficient manner and have conducted more than 90 depositions, the majority of which were taken in foreign languages; issued nearly 70 third party subpoenas; and secured the production of more than 5 million documents.

The limited modifications to the pretrial schedule, if accepted, would also allow for a more orderly and efficient preparation of expert reports, another reason that the parties unanimously submitted the proposed modifications to Judge Legge. In turn, these expert reports, especially as they relate to damages, should facilitate settlement discussions because they will provide the parties with a more complete and realistic understanding of litigation risks.

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For these reasons, the IPPs and DAPs respectfully request that the Court order the parties' agreed-upon scheduling stipulation.

Respectfully,

/s/ Philip J. Iovieno
Philip J. Iovieno, Esq.
Boies, Schiller & Flexner LLP

*Liaison Counsel for the Direct Action
Plaintiffs*

/s/ Mario N. Alioto
Mario N. Alioto, Esq.
Trump Alioto Trump & Prescott LLP

*Interim Lead Counsel for the Indirect
Purchaser Plaintiffs*

Pursuant to Local Civil Rule 5-1(i), the filer attests that concurrence in the filing of this letter has been obtained from the other signatory above.